

-- REMARKS --

In the Final Office Action, Examiner Lee rejected pending claims 1, 2, 4 and 5 on various grounds. The Applicant responds to each rejection as subsequently recited herein, and respectfully requests reconsideration of the present application:

- A. Examiner Lee rejected claims 1, 2, 6 and 7 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,435,704 B1 to *Montet* et al.

The Applicant has thoroughly considered Examiner Lee's remarks concerning the patentability of claims 1, 2, 6 and 7 over the *Montet*. The Applicant has also thoroughly read the *Montet*. To warrant this §102(e) rejection of claims 1, 2, 6 and 7, *Montet* must show each and every limitation of independent claims 1 and 6 in as complete detail as in contained independent claims 1 and 6. See, MPEP §2131. The Applicant respectfully traverses this §102(e) rejection of independent claims 1 and 6, because, among other things, *Montet* fails to teach or suggest "a cup-shaped axially positioned cap serving as an optical screening means that partly surrounds the light source for intercepting unreflected light rays, characterized in that the cap is surrounded at a distance d by a screening ring which extends over a height h in the direction of the light emission window" in as complete detail as recited in independent claim 1, and "a cup-shaped axially positioned cap serving as an optical screening means that partly surrounds the light source for intercepting a first portion of unreflected light rays from the light source, characterized in that the cap is surrounded by a screening ring for intercepting a second portion of unreflected light rays from the light source" as recited in independent claim 6.

Specifically, as shown in FIGS. 13-15, *Montet* teaches a cup-shaped axially positioned cap 400 serving as an optical screening means that partly surrounds a light source 150 for intercepting unreflected light rays from light source 150. In particular, *Montet* teaches cap 400 having side walls 420, 426 and 427 for intercepting unreflected light rays from light source 150. See, *Montet* at column 8, line 45 to column 9, line 13.

Examiner Lee respectfully asserts that side walls 420, 426 and 427 could be interpreted as screening rings under a broad reasonable interpretation of the claims.

The Applicant respectfully asserts that the broadest reasonable interpretation of the claims is that a wall of a cap can not surround itself and therefore a screening ring must be deemed a separate and distinct entity from a wall of a cap, and that *Monet* must be understood for what *Monet* actually teaches and not for what *Monet* could teach. Thus, the Applicant respectfully asserts that side walls 420, 426 and 427 can not be interpreted as a “screening ring” surrounding cap 400 in view of the facts that (1) *Monet* teaches side walls 420, 426 and 427 are walls of cap 400 and thus cannot surround themselves; and (2) any reading of side walls 420, 426 and 427 as being separate and distinct entities from cap 400 contradicts the teachings of *Monet*.

Thus, *Montet* fails to teach or suggest a “screening ring” as required by independent claim 1, particularly a screening ring for intercepting unreflected light rays from light source 150 that is not intercepted by the side walls 420, 426 and 427 of cap 400. Withdrawal of the rejection of independent claims 1 and 6 under 35 U.S.C. §102(e) as being anticipated by *Montet* is therefore respectfully requested.

Claim 2 depends from independent claim 1. Therefore, dependent claim 2 includes all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claim 2 is allowable the *Montet* for at least the same reason as set forth herein with respect to independent claim 1 being allowable *Montet*. Withdrawal of the rejection of dependent claim 2 under 35 U.S.C. §102(e) as being anticipated by *Montet* is therefore respectfully requested.

Claim 7 depends from independent claim 6. Therefore, dependent claim 7 includes all of the elements and limitations of independent claim 6. It is therefore respectfully submitted by the Applicant that dependent claim 7 is allowable the *Montet* for at least the same reason as set forth herein with respect to independent claim 6 being allowable *Montet*. Withdrawal of the rejection of dependent claim 7 under 35 U.S.C. §102(e) as being anticipated by *Montet* is therefore respectfully requested.

- B.** Examiner Rosenbaum rejected claims 4, 5, 9 and 10 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,435,704 B1 to *Montet* in view of EP 0336478 to *Massen* et al.

Claims 4 and 5 depend from independent claim 1. Therefore, dependent claims 4 and 5 include all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 4 and 5 are allowable over *Montet* in view of *Massen* for at least the same reason as set forth herein with respect to independent claim 1 being allowable over the *Montet*. Withdrawal of the rejection of dependent claims 4 and 5 under 35 U.S.C. §103(a) as being unpatentable over *Montet* in view of *Massen* is therefore respectfully requested.

Claims 9 and 10 depend from independent claim 6. Therefore, dependent claims 9 and 10 include all of the elements and limitations of independent claim 6. It is therefore respectfully submitted by the Applicant that dependent claims 9 and 10 are allowable over *Montet* in view of *Massen* for at least the same reason as set forth herein with respect to independent claim 6 being allowable over the *Montet*. Withdrawal of the rejection of dependent claims 9 and 10 under 35 U.S.C. §103(a) as being unpatentable over *Montet* in view of *Massen* is therefore respectfully requested.

SUMMARY

The Applicant respectfully submits that claims 1-15 fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Lee is respectfully requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,
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